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STATE OF DELAWARE
BOARD OF MASSAGE AND BODYWORK

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PUBLIC MEETING MINUTES: Board of Massage and Bodywork
MEETING DATE AND TIME: Thursday, September 18, 2014 at 1:30 p.m.
PLACE: 861 Silver Lake Boulevard, Dover, Delaware
Conference Room B, second floor Cannon Building
MINUTES APPROVED: October 16, 2014

MEMBERS PRESENT

Sandra Jachimowski, Professional Member, Vice-President
Gordon Gelley, Public Member
Rachel Dunning, Public Member
Jermaine Cannon, Professional Member
Patricia Schumann-Draper, Professional Member

MEMBERS ABSENT

Holly Overmyer, Professional Member, President

DIVISION STAFF/DEPUTY ATTORNEY GENERAL/COURT REPORTER

Eileen Kelly, Deputy Attorney General
Maggie Strauss, Administrative Specialist II

OTHERS PRESENT

Arron Reeves
Aimee M. Moulder

CALL TO ORDER

Ms. Jachimowski called the meeting to order at 1:38p

REVIEW OF MINUTES

The Board reviewed the minutes from the August 21, 2014 meeting. A motion was made by Mr. Gelley, second by Ms. Dunning, to approve the minutes as presented. The motion carried unanimously.

UNFINISHED BUSINESS

Review and Signing of Final Orders

The Board reviewed and signed the final orders of Melody Mercadante, Lori Stakiel and Whitney Cooper. A motion was made by Mr. Gelley, second by Ms. Dunning to table the signing of the final orders of Patricia Douglas Blakely, Michelle Francis, Rose Harris, Ali Lowe, Noel Olson, Jennifer

Techentine, Enid Ellis, Leslie Maxwell, Jaan Lutter and Kaitlin Economos-Monroe. The motion carried unanimously.

NEW BUSINESS

Ratification of Massage Technician Certifications

A motion was made by Mr. Gelley, second by Ms. Dunning, to approve the ratification of the Massage Technician applications of: Stacey R. Boyles, Dion Seville Hopkins, Cheryl L. Hudson Noah L. Drummond, Ismael Paredes, Jr., Lillian Marie Rivera-Perez, Paige M Wright, Imani L. Johnson and Bria Lynnae McIntosh. The motion carried unanimously.

Ratification of License Massage Therapists

A motion was made by Mr. Gelley, second by Ms. Dunning, to approve the ratification of the Massage Therapist Certifications of: Alana Smith, Kathy Twining Bozman, Tracey Moon, Edward W.Z. Nitz and Yijun Pan. The motion carried unanimously.

Continuing Education

A motion was made by Mr. Gelley, second by Ms. Dunning, to approve the continuing education requests as follows. The motion was unanimously carried.

Cuiling Downs

Reflexology Orientation Workshop – 12 core ****Pending receipt/review of timed outline****

Mollianee Carter

Rotator Cuff Dysfunction – 7.5 core

Joanne Hennessy

Advanced Foot Function – 20 core

Review of CE Extension Requests

A motion was made by Ms. Dunning, second by Mr. Gelley to approve the CE extension request of Stacie Dunn, CMT. The Board permitted her an additional 3 months beyond the pending expiration to complete her required CE. Ms. Dunn will need to complete the required 12 CE on or before December 31, 2014. The motion carried unanimously.

Complaint Status

20-07-12 – Office of Attorney General

20-01-13 – Hearing Officer

20-02-13 - Attorney General

20-03-13 - Attorney General

20-06-13 - Attorney General

20-14-13 – Hearing Officer

20-17-13 – Hearing Officer

20-05-14 – Attorney General

20-09-14 – Attorney General

20-10-14 – Attorney General

20-11-14 – Attorney General

Discussion of defining "Approved School" and "Approved Program"

The Board reviewed the first draft of regulations surrounding educational requirements presented by Ms. Kelly. This discussion included the topic of accreditation companies accepted by the Board, DOE standards and the accreditation process. It would be more advantageous to approve a program so that they can say "this is what is required to be learned during your coursework" or "this is what (i.e. hours per topic, etc.) is required during the entirety of the education program, and what will be considered acceptable to obtain a massage license.

Ms. Draper suggested the review of how other states determine the legitimacy of schools within their state. Ms. Kelly and Ms. Strauss will continue to review the accreditation companies as well.

Review & Consideration of Hearing Officer Recommendation(s)

A motion was made by Ms. Dunning, second by Mr. Gelley to accept the Hearing Officer Recommendation for Sherry Jessee. The motion carried unanimously.

Election of Officers

A motion was made by Mr. Gelley, second by Ms. Dunning to elect Ms. Jachimowski as the new Board President. The motion carried unanimously. Ms. Jachimoski kindly accepted the position.

A motion was made by Ms. Jachimowski, second by Mr. Gelley to elect Ms. Overmyer as the new Board Vice President. The motion carried unanimously.

A motion was made by Mr. Gelley, second by Mr. Cannon, to elect Ms. Dunning as the new Board Secretary. The motion carried unanimously. Ms. Dunning kindly accepted the position.

Review of CPR Course(s) for Approval

After review, the Board was unable to determine if this CPR course provided any hands-on instruction. Ms. Strauss indicated that the Board of Pharmacy received the same request for approval and came to the same conclusion. Mr. Galloway (a Board of Pharmacy member) who has CPR/public safety teaching experience will be contacting this company for more information. A motion was made by Mr. Gelley, second by Ms. Dunning to table the approval request of Emergency University for more information. The motion carried unanimously.

Review of state statutes for licensure of massage establishments

Ms. Kelly advised the Board to continue review the documents from last month's meeting and that they can discuss the topic in October. Ms. Strauss will provide the information from earlier this year to the Board for review as well. A motion was made by Ms. Jachimoski, second by Mr. Cannon to table the discussion of licensure of massage establishments until October. The motion carried unanimously.

Dion Hopkins' request to have revocation removed from his permanent record

Ms. Kelly reminded the Board of the issues surrounding Mr. Hopkins previous disciplinary action. Through administrative oversight, Mr. Hopkins was erroneously audited and had a revocation order signed. Mr. Hopkins has since been approved for and issued a new license, however has petitioned the Board to remove the disciplinary action associated with his licensure. Ms. Kelly drafted an order to vacate the disciplinary order dated 05/15/2014 in the event the Board chooses to accept Mr. Hopkins request. The Board was in agreement that any wrongful action taken should be vindicated so as to not affect Mr. Hopkins professional career. A motion was made by Mr. Gelley, second by Ms. Dunning to accept and sign the order to vacate for Dion Hopkins. The motion carried unanimously.

CORRESPONDENCE

Ms. Jachimowski summarized a letter from IASI regarding their inability to discuss the profession of structural integration with FSMTB. The letter voiced the concern over the need to separate the practice from the massage & bodywork profession.

The Board then turned their discussion to the other modalities covered under Board regulation 2.4 and the need to review each on an individual basis. The Board would consider "realigning" the bodywork modalities if the Division was still willing to regulate them. They agreed that if you "touch someone for a living, someone should ensure the safety of the public through license regulation".

Ms. Jachimowski and Ms. Draper agreed that there should be better definitions and standards in place before the modalities are removed from the scope of massage and bodywork.

The Board discussed the letter from Mr. Mangler referencing the 2015 legislative session. They all agreed that they should begin preparing a list of ideas they would like considered now, and submit a final draft of any proposed changes for the 2016 legislative session.

OTHER BUSINESS (for discussion only)

PUBLIC COMMENT

Ms. Moulder addressed the Board with her opinions on separating out some of the modalities under the Board's control. She felt that some modalities should be separated out because they "training and education are far beyond the requirements of an LMT/CMT." Ms. Jachimowski stated that she didn't disagree, but reiterated that the Board needs to carefully review and consider each modality on an individual basis.

Mr. Reeves addressed the Board concerning his displeasure with the Approved CE list on the DPR website. Ms. Strauss advised him that the 2014-2016 list was just being developed as instructors were submitting courses for the licensing period. She suggested he check back regularly as the list will continue to grow. Ms. Strauss also advised he contact the providers directly for available course dates & times, and explained the pre-approval process.

NEXT SCHEDULED MEETING

The next meeting is scheduled for October 16, 2014 at 1:30 p.m.

ADJOURNMENT

There being no further business, a motion was made by Mr. Gelley, second by Ms. Dunning, to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 2:56p.

Respectfully submitted,



Maggie Strauss
Administrative Specialist II